

## **DETAILED ACTION**

### **Status of Claims**

1. This action is in reply to the application filed on 17 March 2004.
2. Claims 1-14 are currently pending and have been examined.

### **Priority**

3. Applicant's claim for the benefit of a prior-filed application, Application No. 60/455,726, under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

### **Information Disclosure Statement**

4. The information disclosure statement filed on 17 March 2004 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

### **Drawings**

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the **databases** must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an

application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

6. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the **database** as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
7. **Figure 1** should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because **Figure 1 and Figure 2, they do not include any reference sign(s)**. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### Specification

9. The abstract of the disclosure is objected to because the abstract contains the phrase: *determine special features and development needs, and offer new information, and the solutions generated, to the customer*. There appears to be an extra "and" and commas (",") inserted into this phrase. Correction is required. See MPEP § 608.01(b).
10. The disclosure is objected to because of the following informalities: the specification does not include any reference character(s) for the drawings. Appropriate correction is required.

#### Claim Objections

11. Claims 3 and 10 are objected to because of the following informalities:  
At the end of claims 3 and 10 it appears to be a comma (",") instead of a period (".").  
Appropriate correction is required.

**Claim Rejections - 35 USC § 112**

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claims 1-2 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the following limitation:

- *the economic calculation* in line 14. There is insufficient antecedent basis for this limitation in the claim. It is suggested to amend to --an economic calculation-- or define an economic calculation earlier in the claim. For the purposes of this examination, the Examiner will assume that the Applicant meant with *the economic calculation* as the result of any kind of mathematical calculation.

Claims 1 and 8 recites the following limitation:

- *the information input*. There is insufficient antecedent basis for this limitation in the claim. It is suggested to amend to --an information input-- or define an information input earlier in the claim. For the purposes of this examination, the Examiner will assume that the Applicant meant with *the information input* as facts, concepts or instructions entered.

Claim 2 and 8 recites the following limitations:

- *mechanical solutions* and *automation solutions* are vague and indefinite. The terms *mechanical solutions* and *automation solutions* are relative terms that cause the claim indefinite. Those terms are not defined by the claim, the specification does not provide a standard for ensuring the requisite degree, and one of ordinary skill in the art would not be reasonably aware of the scope of the invention. For the purposes of this examination, *mechanical solutions* and *automation solutions* will be interpreted as any

kind of mechanical/automation troubleshooting analysis. Appropriate correction is required.

**Claim Rejections - 35 USC § 101**

14. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

15. Claims 1 and 8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed invention does not appear to produce a useful, tangible and concrete result at all, nor does it produce a physical transformation. Moreover, it appears as if the claimed invention is merely an abstract idea and therefore a judicial exception and not a recognized statutory category.

**Claim Rejections - 35 USC § 103**

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

18. Claims 1, 3, 5, 8, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al (US 6,067,525 A) in view of applicant's own admission (hereinafter "AOA").

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**Claim 1:**

Johnson et al as shown, discloses the following limitations:

- *setting up a sales team comprised, ... a person with expertise in papermaking processes, a person with expertise in product development* (see at least column 13, lines 46-49: "The salesperson uses the configuration module 406 to accurately configure and price a product that passes engineering, .... requirements");
- *and a person with expertise in production;*(see at least column 13, lines 46-49: "The salesperson uses the configuration module 406 to accurately configure and price a product that passes engineering, manufacturing and customer requirements");
- *analyzing said invitation to tender by inputting into a database, data from the sales team comprising at least: data from the invitation to tender,*(see at least Fig. 10A, reference item 1013: "Order Requirements" and column 29, lines 11-12: "the system prompts the user to enter any additional order information");
- *pricing data,* (see at least Fig. 18, reference number S301: "Update price with configuration data tool" and column 29, lines 55-56: "At step S301, pricing information is updated in the system.")
- *and technical specifications including technical features and process technology solutions;* (see at least Fig. 10A, reference numbers 1016, 1017: "Product Information"

and "Configuration" respectively and column 23, lines 51-58: "The product information database 1016 includes data related to the features and benefits of a product, the specifications for the product or service being sold, comparative specifications, etc. The configuration database 1017 includes data related to a base model, for example, standard equipment, options, prices, weights, characteristics and relationships of the product.");

- *generating from the database the economic calculations to determine costs of variations from standard products*; (see at least Fig 4, reference number 408 and column 14, lines 21-24 "The quotation module 408 facilitates calculation and preparation of a bottom line quotation, thus enabling the salesperson to provide the customers immediate and accurate quotes for one or more units." and, lines 34-37: "The quotation module 408 is integrated to the configuration module 406 to allow the salesperson to quote a unit specified in the configuration module 406 if desired.");
- *using the database to communicate items of delivery between the sales team and product development personnel*; (see at least column 5, lines 21-23: "...all such modules are integrated with each other as well as with the other components, to permit an efficient exchange and use of information", column 9, lines 22-24: "Sales information is exchanged between the two systems as needed using the communications components..." and column 20, lines 40-43: "An integrated communication facility provides the ability to receive leads from other data sources such as telemarketing (i.e. from the lead generation component 102) and other workgroups.");
- *using the information input in the databases from the sales team to compare the invitation to tender with the technology files and identify the variations from the standard products, determine special features or development needs*; (see at least Fig. 10B and reference numbers 1016, 1017: "Product Information" and "Configuration" respectively and column 23, lines 51-58: "The product information database 1016 includes data

related to the features and benefits of a product, the specifications for the product or service being sold, comparative specifications, etc. The configuration database 1017 includes data related to a base model, for example, standard equipment, options, prices, weights, characteristics and relationships of the product.");

- *using the database to make decisions on what to offer the customer;* (See at least column 14, lines 9-12: "Once a product is configured, the configuration module 406 may be used to carry out performance simulations for the product to determine if the product meets the customer's needs or desires.");
- *and offering new information, and solutions, generated by the sales team using the database, to the customer* (see at least column 16, lines 21-26: "The presentation module 414 and proposal module 412 provide a similar function of effectively presenting a solution to the customers needs. The presentation module 414 assists the salesperson in converting the proposed solution to the customer's needs into an effective presentation for use while with the customer." and column 28, lines 19-21: "At step S103, the configuration module 406 of the time with customer component 104 is used to create a customer solution.");

Johnson et al does not disclose the following limitations, but Applicant however, in the background of the specification, as shown, does:

- *a tender engineer, a sales manager* (see at least page 4, lines 15-16, ¶ 0006: "The person starting first preparing the tender is the tender engineer and/or sales manager of the papermaking machine...");
- *technology files* (see at least page 4, lines 21-22, ¶ 0006: " These technologies files have been prepared e.g. by the sales department...");

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al of using a salesforce automation system (e.g. databases) "to configure and price a product" taking into consideration expertise and technical knowledge from "engineering (*a person with expertise in papermaking processes, a*



*person with expertise in product development*), manufacturing (*a person with expertise in production*) and customer requirements" with the AOA before preparing a tender because "The self management component further supports team selling, workgroups and workflow environments." and "The objective management module 714 provides a structured sales process for the salesperson by integrating the best knowledge and expertise of an organization's best selling strategies". (Johnson et al, see at least column 20, lines: 16-18 and column 21, lines: 4-6, respectively).

#### **Claim 8**

Johnson et al as shown, discloses the following limitations:

- *setting up a sales team comprised, ... a person with expertise in papermaking processes, a person with expertise in product development* (see at least column 13, lines 46-49: "The salesperson uses the configuration module 406 to accurately configure and price a product that passes engineering, .... requirements");
- *and a person with expertise in production*;(see at least column 13, lines 46-49: "The salesperson uses the configuration module 406 to accurately configure and price a product that passes engineering, manufacturing and customer requirements");
- *inputting into a database data from the sales team comprising at least data from the invitation to tender*, (see at least Fig. 10A, reference item 1013: "Order Requirements" and column 29, lines 11-12: "the system prompts the user to enter any additional order information");
- *pricing data*, (see at least Fig. 18, reference number S301: "Update price with configuration data tool" and column 29, lines 55-56: "At step S301, pricing information is updated in the system.")
- *technical specifications including technical features and process technology solutions*; (see at least Fig. 10A, reference numbers 1016, 1017: "Product Information" and "Configuration" respectively and column 23, lines 51-58: "The product information database 1016 includes data related to the features and benefits of a product, the

specifications for the product or service being sold, comparative specifications, etc. The configuration database 1017 includes data related to a base model, for example, standard equipment, options, prices, weights, characteristics and relationships of the product.”);

- *wherein the data is structured in separate entities* (see at least Fig. 1 and column 3, lines 61-64: “A salesperson support system 100 is made up of a number of different subsystems which generally relate to various phases of the sales process.”);
- *for initial data*, (see at least Fig. 10A, reference item 1013: “Order Requirements” and column 29, lines 11-12: “the system prompts the user to enter any additional order information”);
- *technical specifications*, (see at least Fig. 10A, reference numbers 1016, 1017: “Product Information” and “Configuration” respectively and column 23, lines 51-58: “The product information database 1016 includes data related to the features and benefits of a product, the specifications for the product or service being sold, comparative specifications, etc. The configuration database 1017 includes data related to a base model, for example, standard equipment, options, prices, weights, characteristics and relationships of the product.”);
- *and economic calculations*; (see at least Fig 4, reference number 408 and column 14, lines 21-24: “The quotation module 408 facilitates calculation and preparation of a bottom line quotation, thus enabling the salesperson to provide the customers immediate and accurate quotes for one or more units.”);
- *generating from the database the economic calculations to determine costs of variations from standard products*; (see at least Fig 4, reference number 408 and column 14, lines 21-24 “The quotation module 408 facilitates calculation and preparation of a bottom line quotation, thus enabling the salesperson to provide the customers immediate and accurate quotes for one or more units.” and, lines 34-37:

"The quotation module 408 is integrated to the configuration module 406 to allow the salesperson to quote a unit specified in the configuration module 406 if desired.");

- *using the database to communicate items of delivery between the sales team and product development personnel;* (see at least column 5, lines 21-23: "...all such modules are integrated with each other as well as with the other components, to permit an efficient exchange and use of information", column 9, lines 22-24: "Sales information is exchanged between the two systems as needed using the communications components..." and column 20, lines 40-43: "An integrated communication facility provides the ability to receive leads from other data sources such as telemarketing (i.e. from the lead generation component 102) and other workgroups.");
- *using the information input in the databases from the sales team to compare the invitation to tender with the technology files and identify the variations from the standard products, determine special features and development needs;* (see at least Fig. 10B and reference numbers 1016, 1017: "Product Information" and "Configuration" respectively and column 23, lines 51-58: "The product information database 1016 includes data related to the features and benefits of a product, the specifications for the product or service being sold, comparative specifications, etc. The configuration database 1017 includes data related to a base model, for example, standard equipment, options, prices, weights, characteristics and relationships of the product.");
- *and offering new information and solutions, generated by the sales team using the database, to the customer.* (see at least column 16, lines 21-26: The presentation module 414 and proposal module 412 provide a similar function of effectively presenting a solution to the customers needs. The presentation module 414 assists the salesperson in converting the proposed solution to the customer's needs into an effective presentation for use while with the customer." and column 28, lines 19-21: "At

step S103, the configuration module 406 of the time with customer component 104 is used to create a customer solution.");

Johnson et al does not disclose the following limitations, but Applicant however, in the background of the specification, as shown, does:

- *a tender engineer, a sales manager* (see at least page 4, lines 15-16, ¶ 0006: "The person starting first preparing the tender is the tender engineer and/or sales manager of the papermaking machine...");
- *making a decision to tender based on input from at least the tender engineer, and the sales manager;* (see at least page 5, lines 9-10, ¶ 0009: "...the tender engineer who processes it and, usually together with the sales manager, makes a decision to tender...")
- *technology files* (see at least page 4, lines 21-22, ¶ 0006: " These technologies files have been prepared e.g. by the sales department...");

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al of using a salesforce automation system (e.g. databases) "to configure and price a product" taking into consideration expertise and technical knowledge from "engineering (*a person with expertise in papermaking processes, a person with expertise in product development*), manufacturing (*a person with expertise in production*) and customer requirements" with the AOA before preparing a tender because "The self management component further supports team selling, workgroups and workflow environments." and "The objective management module 714 provides a structured sales process for the salesperson by integrating the best knowledge and expertise of an organization's best selling strategies". (Johnson et al, see at least column 20, lines: 16-18 and column 21, lines: 4-6, respectively).

**Claims 3 and 10**

Johnson et al discloses the limitations of Claims 1 and 8, as shown above. Johnson et al does not disclose the following limitation, but Applicant however, in the background of the specification, as shown, does:

- *wherein the process technology solutions include roll temperature, linear load and steaming (see at least page 5-6, lines 26 and 1 respectively, ¶ 0012: " Other relevant parameters may include e.g. running mode, linear load, steaming, and roll temperature.").*

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al of using a salesforce automation system (e.g. databases) with the AOA process technology solutions because the sales process will be more cost effective and efficient in order "to determine if the product meets the customer's needs or desires." (Johnson et al, see at least column 14, lines 11-12).

**Claims 5 and 12:**

The combination of Johnson et al/AOA discloses the limitations of Claims 1 and 8, as shown above. Furthermore Johnson et al discloses the following limitation, as shown:

- *identifying implied customer need for non-standard components or systems. (see at least Fig. 10B and reference numbers 1016, 1017: "Product Information" and "Configuration" respectively and column 23, lines 51-58: "The product information database 1016 includes data related to the features and benefits of a product, the specifications for the product or service being sold, comparative specifications, etc. The configuration database 1017 includes data related to a base model, for example, standard equipment, options, prices, weights, characteristics and relationships of the product.").*

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al of using a salesforce automation system (e.g. databases) with the AOA customer needs because the database provide information from

the customer requirements and with its tools will facilitate comparison between standard and non-standard products in an efficient way, then it will provide a cost effective solution satisfying the customer needs.

19. Claims 2 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Johnson et al/AOA in view of Honeywell-Measurex Devron – Site Visit, (The Challenge, Volume 6, Issue 2, December 2000, <http://www.wcgce.org/newslett/dec2000.htm>)

**Claims 2 and 9:**

The combination of Johnson et al/AOA discloses the limitations as shown in Claims 1 and 8. The combination of Johnson et al/AOA does not disclose the following limitation, but Honeywell-Measurex Devron however, as shown, does:

- *include the number of rolls, roll materials, mechanical solutions, and automation solutions* (see at least article on October 25th, 2000, Honeywell-Measurex Devron – Site Visit, 1<sup>st</sup> ¶ "...specializes in providing advanced solutions for the optimization of papermaking..." and Figure "A simplified diagram that shows a papermaking process (courtesy of Measurex Devron)". This figure shows a number of rolls for the papermaking process which depends of the desired product which roll materials are required);

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al/AOA of using a salesforce automation system (e.g. databases) with the advanced solutions of Honeywell-Measurex Devron because the papermaking process requires complete control in order to ensure the product quality assuring the customer requirements and needs.

20. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Johnson et al/AOA in view of [www.intota.com](http://www.intota.com) "Intota About Us", November 9, 2000 (hereinafter "Intota").

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**Claim 4:**

The combination of Johnson et al/AOA discloses the limitations of Claim 1, as shown above. The combination of Johnson et al/AOA does not disclose the following limitation, but Intota however, as shown, does:

- *persons with the expertise in installation of papermaking machines or papermaking machine units or upgrades to a papermaking machine.* (see at least Intota About Us: "The network includes individuals with expertise in more than 30,000 areas of science, technology and business.");

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al/AOA of using a salesforce automation system (e.g. databases) with Intota expert knowledge services in providing individuals in industry, technology, engineering, science and material expertise because it will improve the papermaking sales process by offering a more efficient service or product assuring the papermaking process quality and customer satisfaction.

**Claim 11:**

The combination of Johnson et al/AOA discloses the limitations of Claims 8, as shown above. The combination of Johnson et al/AOA does not disclose the following limitation, but Intota however, as shown, does:

- *persons with expertise in installation of papermaking machines or papermaking machine units or upgrades to a papermaking machine.* (see at least Intota About Us: "The network includes individuals with expertise in more than 30,000 areas of science, technology and business.");

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al/AOA of using a salesforce automation system (e.g. databases) with Intota expert knowledge services in providing individuals in industry, technology, engineering, science and material expertise because it will improve the papermaking

sales process by offering a more efficient service or product assuring the papermaking process and customer satisfaction.

21. Claims 6-7 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Johnson et al/AOA in view of Zirger et al ( "A Model of New Product Development: An Empirical Test", Management Science, Vol. 36, No. 7, July 1990, pages 867-883).

**Claims 6 and 13:**

The combination of Johnson et al/AOA discloses the limitations of Claims 1 and 8, as shown above. The combination of Johnson et al/AOA does not disclose the following limitation, but Zirger et al however, as shown, does:

- *negotiations between the sales team and the product development personnel* (see at least section 6. Discussion, 1<sup>st</sup> ¶: "The functional groups should interact and coordinate activities during the development process. Particularly important are the links between R&D and the other functional groups, marketing and manufacturing." and page 872, 1<sup>st</sup> ¶: "...successful development relies on strong communication links and cooperation between the functional groups (Rubenstein et al. 1976, Souder and Chakrabarti 1978, Souder 1981, Gupta 1985) in order to effectively manage the transition of the product through the various design and development stages.");

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al/AOA of using a salesforce automation system (e.g. databases) with the Zirger et al method of communication between the sales team and the product development personnel because "One critical reason for a strong link with marketing is to ensure the firm understands user needs and effectively translates these needs into solutions for the customer." (Zirger et al, see at least section 6. Discussion, 1<sup>st</sup> ¶).



**Claims 7 and 14:**

The combination of Johnson et al/AOA discloses the limitations of Claims 1 and 8, as shown above. The combination of Johnson et al/AOA does not disclose the following limitation, but Zirger et al however, as shown, does:

- *starting a product development process for the future delivery during the preparation of the tender before reaching agreement for deliverables with the customer* (see at least page 873, 1<sup>st</sup> ¶: "Understanding customers' needs was also critical to developing a product success. With indepth knowledge of their customer's problems, a firm can develop solutions that provide a significant value (Utterback et al. 1976, Cooper et al. 1987).");

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention to combine the technique of Johnson et al/AOA of using a salesforce automation system (e.g. databases) to tender the invitation to the customer with the Zirger et al method of new product development because "Products are more likely to be successful if they are planned and implemented well. Project planning should include all phases of the development process; research, development, engineering, manufacturing and market introduction." and "An essential part of effective product development is understanding customer needs and embodying solutions to those needs in the product." (Zirger et al, see at least page 879, 1<sup>st</sup> ¶ and page 880, 1<sup>st</sup> ¶ respectively).

**Conclusion**

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Pitkanen et al (US 2004/0088209 A1) discloses a business method which is to sell a papermaking machine or part of a papermaking machine.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Nadja Chong** whose telephone number is **570.270.3939**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **JAMES A. REAGAN** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks*

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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10 December 2007

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